

VIRGINIA DEPARTMENT OF EDUCATION

PRIVATE SPECIAL EDUCATION DAY SCHOOLS APPLICATION FOR A CERTIFICATE TO OPERATE

I. GENERAL INFORMATION

School Name _____ Phone No. _____

Address _____

City/State _____ Zip Code _____

Contact Person _____ Title _____

Ownership: _____ Sole Proprietorship _____ Partnership _____ Corporation
 _____ Other (specify) _____

If the ownership is in the form of a sole proprietorship, give the name and home address of the proprietor(s):

If the ownership is in the form of a partnership or corporation, list the name and address of the entity and list all members and officers below:

Partnership/Corporation Name _____

Partnership/Corporation Address _____

City, State, and Zip Code _____

Member/Officers/Director Information

[illegible]

Operating Status: _____ For Profit _____ Non-profit

Does the owner currently operate other institutions? _____ Yes _____ No

List other schools operated below:

Has the owner ever been denied authorization to operate a private special education day school in any other state? _____ Yes _____ No

Projected enrollment for coming year _____

Projected student/teacher ratio _____

Largest enrollment last year (if applicable) _____

Anticipated opening date _____

PART II – INSTRUCTIONAL PROGRAMS

(Please refer to Part XI Section 11.6 and Guidelines for Submitting Curriculum Information)

Indicate the categories of disabilities to be served by the school

_____ Autism	_____ Deaf-Blindness
_____ Deafness	_____ Pre-School Handicapped
_____ Developmentally Delayed	_____ Multiple Disabilities
_____ Emotional Disturbance	_____ Orthopedical Impairment
_____ Hearing Impairment	_____ Specific Learning Disability
_____ Other Health Impairment	_____ Severe Disability
_____ Speech or Language Impairment	_____ Visual Impairment including blindness
_____ Mental Retardation	_____ Traumatic Brain Injury

Age range to be served by the school _____

Grade levels (if applicable) to be served _____

PART III – STAFF

Provide staff information as indicated below

A. Administrative Personnel

Name	Position/Title	Degree/ Major Field	Area(s) of Licensure

B. Educational Personnel that provide direct instructional services (teachers, instructors, etc.) with at least a four year degree. Keep documentation or certification on file.

Name	Position/Title	Degree/ Major Field	Area(s) of Special Education Endorsement

C. Related Services Personnel employed by school or through contract (speech-language specialists, social workers, psychologists, physical therapists, occupational therapists, etc.). Keep documentation of certification or licensure on file.

Name	Degree/ Major Field	Certification or Licensure (list agency)

D. Other Staff (include technicians, bus drivers, cooks, etc.)

Name	Position/Title	Education

PART IV – INSTRUCTIONAL EQUIPMENT

Attach a list of instructional equipment and materials available for each program and/or course listed in Part II. Include model name/number, serial number, location within the facility and whether the item is purchased or leased. Include furniture and resource materials.

PART V – ACCOMPANYING DOCUMENTS

This application shall be verified and accompanied by the following items. Specific regulations governing these materials are identified in parenthesis.

1. A copy of the school's catalogue or bulletin in draft form. Attach a Form QL.025-Catalog Checklist [Part IX].
2. A Form QL-012-Statement of Financial Responsibility or comparable financial statements. [Part III, Section 3.1 (9)].
3. Copies of student record forms, schedule of tuition and fees and any other pertinent materials relative to student records and services offered [Part VII and Part VIII].
4. A projected school calendar. [Part VI, Section 6.1 (E)].
5. A Certificate of Occupancy or reports from the appropriate government agencies indicating that facilities meet building code, sanitation and fire safety standards [Part III, Section 3.1 (4)]. If the certificate of occupancy is older than six months, it must be accompanied with an up to date fire inspection report.
6. A copy of the deed or lease or other legal instrument authorizing school to occupy such location [Part III, Section 3.1 (5)].
7. A scale drawing or copy of the floor plan for the location which includes room dimensions of the location or locations where instruction will take place [Part III, Section 3.1 (3)].
8. A surety bond, on the form provided, in the amount specified in Part XIII, Section 13.2 (C) of the regulations based on maximum enrollment, payable to the "Treasurer of Virginia." (Schools for students with disabilities may submit a request for reduced bonding in accordance with subsection C of Section 13.2. An application should be made well in advance of the time you submit the materials required in this application). You will be advised of any additional guaranty provisions you will need to meet to comply with the regulations.
9. Copies of all advertising currently used or proposed for the school [Part III, Section 3.1 (11) and Part IX].
10. Form QL.001S-Schools for Students with Disabilities Checklist.
11. Curriculum design per enclosed instructions – QL.001SA

(Please Type or Print Legibly)

License(s) and/or Certificate(s) held _____
(please include endorsements as applicable)

[illegible][illegible]

Date _____

CERTIFICATE OF COMPLIANCE

I, _____ The authorized official of _____
(Print or Type Name) (Name of School)

Certify that I have presented true statements throughout this application to the best of my knowledge and belief.
I (We) the owner(s) of the school agree:

1. To conduct the school in an ethical manner and in accordance with the provisions of Title 22.1-319 through 22.1-335 of the Code and all applicable regulations which may from time to time be established by the Board;
2. To permit the Board or Department of inspect the school or classes being conducted herein at any time and to make available to the Board or Department, when requested to do so, all information pertaining to the activities of the school and its financial condition;
3. To advertise the school at all times in a form and manner that is free from misrepresentation, deception, or fraud and that conforms to the regulations of the Board governing advertising;
4. To see that all representations made by anyone authorized by the school to act as an agent or solicitor for prospective students shall be free from misrepresentation, deception, or fraud and shall conform to regulations of the Board governing such representations;
5. To display prominently the current Certificate to Operate where it may be inspected by students, visitors, and the Board or Department;
6. To maintain all premises, equipment, and facilities of the school in an adequate, safe, and sanitary condition;
7. To submit to the Department, in the event a school should close with students enrolled who have not completed their program of study, a list of students enrolled at the time the school closes, including the amount of tuition and fees paid and the amount of their program or course completed;
8. To maintain current, complete, and accurate student records which shall be accessible at all times to the Board or its authorized representatives. These records shall include all components required by applicable regulations of the Board;
9. To conduct all courses in accordance with outlines submitted to and approved by the Department; and
10. To publish and adhere to policies which conform to all state and federal laws and regulations barring discrimination on the basis of race, religion, sex, national origin, or handicapping condition in all school operations.

Date

Signature of Authorized Official

Title

Sworn to and Subscribed before me this _____ day of _____ 20 _____

My Commission expires _____

Notary Public

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION DAY SCHOOLS
P. O. BOX 2120
RICHMOND, VA 23218-2120**

PARENT/STUDENT HANDBOOK (CATALOG) CHECKLIST

School Name _____

City, State, Zip Code _____

INSTRUCTIONS: A prospective student's parents are entitled to sufficient data to make a rational choice of training opportunities and schools. A school is, therefore, obligated to provide sufficiently detailed data in advance of enrollment to assure that prospective student's parents clearly understand their opportunities, limitations, and obligations.

Before an applicant signs an enrollment agreement, a school should provide the applicant with a publication which is identifiable as a handbook (catalog). The handbook is designed, written, printed, and bound to convey an accurate and dignified impression of the school. It avoids false, misleading, or exaggerated statements. Illustrations and copy pertain directly to the school and sources of illustrations are clearly identifiable.

This document serves as a detailed index to aid reviewers in finding specified portions in the handbook (catalog).

A copy of this checklist is to accompany each handbook sent to the Department. The Checklist is marked to show page numbers (or references to specific covers or supplements) on which each required item is included.

The handbook of a school must include the following items. If any item is not included, the catalog should refer to the supplement which contains the item.

Item No.	Required Items	Handbook Page Numbers
1.	Title of Publication	_____
2.	Name and address of the school	_____
3.	Date of publication (mo/yr)	_____
4.	A statement of institutional philosophy	_____
5.	A statement of history of the institution	_____
6.	The admission requirements	_____
7.	The admission procedures	_____
8.	The educational objective of each program, including the name, nature, and level for which training is provided	_____
9.	A description the school's general physical facilities and equipment	_____
10.	Number of students in a typical class (student to teacher ratio including aides)	_____
11.	Satisfactory progress policy	_____
12.	The school's grading system	_____
13.	Policy regarding development of Individualized Education Program (IEPs) for students placed by local school divisions and Individualized Program Plans for students unilaterally placed by their parents	_____

Item No.	Required Items	Handbook Page Numbers
14.	Policy regarding management of student records	_____
15.	Policy regarding contact with local school divisions for publicly placed students	_____
16.	Policy regarding administration of Statewide Assessment Testing	_____
17.	Policies related to the school's program for behavior management and modification including the use of restraints, timeout, or seclusion	_____
18.	Policy requiring a report of physical examination by a physician and an immunization record be on file for each student that is not more than three years old	_____
19.	Policy related to lunch and snacks	_____
20.	Policy regarding medication management for students	_____
21.	Policy regarding transportation of students	_____
22.	Policy relating to tardiness	_____
23.	Policy relating to attendance	_____
24.	Policy relating to make-up work	_____
25.	Policy relating to conduct	_____
26.	Policy relating to termination	_____
27.	The required levels of performance for graduation	_____
28.	Type of document (certificate of completion, diploma) awarded upon graduation	_____
29.	Tuition and other student charges related to the enrollment, such as deposits, fees, books, supplies, equipment, and any other "extras" for which a student may be responsible	_____
30.	The Minimum Cancellation and Settlement Policy of the school	_____
31.	A calendar for the school year including beginning and ending dates of school and holidays, etc.	_____
32.	Statement of policy on non-discrimination	_____
33.	Complaint resolution procedures	_____

Schools should refer to the regulations governing advertising and publications to ensure that the catalog meets the requirements of those regulations prior to submitting it to the Department.

STATEMENT OF FINANCIAL RESPONSIBILITY

INSTRUCTIONS: In accordance with the provisions of Title 22.1, Chapter 16, Sections 22.1-319 through 22.1-335 of the Code of Virginia (1950) as amended, and Regulations Governing the Operation of Proprietary Schools and Issuing of Agent Permits adopted by the Board of Education, each applicant for a Certificate to Operate shall, upon application for an original certificate and annually thereafter submit evidence that it has "The financial resources available to equip, maintain, and operate the school."

All institutions shall submit the information, on these forms or the equivalent,, required by Section 3.1 (9) of the regulations which is stated below in its entirety:

A copy of the financial statements of the school or owning entity to include, but not be limited to, the following:

1. A Balance Sheet, reflecting assets, liabilities, equity, and retained earnings;
2. An Income Statement, reflecting revenues, expenses, and profits and losses;
3. A Statement of Increase or Decrease in Case, reflecting the sources and uses of working capital; and
4. Explanatory Notes, which reflect the disclosures required by generally accepted accounting principles. These statements must be as of the date of the school's most recently-ended fiscal year.

The Department reserves the right to call for, if need be in specific cases, one of these two types of statements:

1. An audited financial statement, certified by an outside, independent, certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants; or
2. A financial statement which has been "reviewed" by an outside, independent, certified public accountant in accordance with principles established for review by the American Institute of Certified Public Accountants.

Each institution shall also submit an actual or proposed budget for the upcoming year.

If an institution uses the financial statement of its owning entity (partnership, corporation, etc.), **Attachment E** shall be completed, notarized, and submitted with the corporate financial statements and the institution's budget.

BALANCE SHEET**FOR THE FISCAL YEAR ENDING _____**

ASSETS		LIABILITIES AND EQUITY	
<u>CURRENT ASSETS</u>		<u>CURRENT LIABILITIES</u>	
Cash – Checking	\$ _____	Accounts Payable	\$ _____
Cash – Savings	\$ _____	Unearned Tuition	\$ _____
Other Cash	\$ _____	Salaries/Commissions	\$ _____
		Officers Salaries	\$ _____
<u>ACCOUNTS RECEIVABLE</u>		Organization Fees	\$ _____
Tuition (Current)	\$ _____	Reserve for Taxes Payable	\$ _____
Tuition (Past Due)	\$ _____		
Other Receivables (list)	\$ _____	<u>LONG-TERM LIABILITIES</u>	
_____		Notes Payable	\$ _____
_____		Mortgage/Lease(s) Payable	\$ _____
_____		Interest Payable	\$ _____
<u>PREPAID EXPENSES</u>		Other (list)	\$ _____
Insurance	\$ _____	_____	
Other (list)	\$ _____	_____	
_____		_____	
_____		TOTAL LIABILITIES	\$ _____
<u>PROPERTY & EQUIPMENT</u>		<u>STOCKHOLDERS' EQUITY</u>	
Furnishings/Inventory	\$ _____	Stock:	\$ _____
Automotive	\$ _____	# Shares Issued _____	
Less: Accumulated Depreciation		Value Per Share _____	
		Retained Earnings	\$ _____
<u>OTHER ASSETS (List)</u>		Paid-In Capital	\$ _____
_____		TOTAL STOCKHOLDERS' EQUITY	\$ _____

_____		TOTAL LIABILITIES & EQUITY	\$ _____
TOTAL ASSETS	\$ _____		

**STATEMENT OF INCOME AND EXPENSES
FOR THE PERIOD ENDING _____**

INCOME

Gross Tuition Income	\$ _____
Less Refunds	\$ _____
Book/Equipment Sales	\$ _____
Miscellaneous Fees	\$ _____
Sales Tax Collected	\$ _____
Other Income	\$ _____
NET INCOME	\$ _____

COSTS AND EXPENSES

Advertising/Recruitment	\$ _____
Books/Equipment/Supplies	\$ _____
Collections	\$ _____
Dues/Subscriptions	\$ _____
Instructors/Staff Salaries/Commissions	\$ _____
Insurance	\$ _____
Licenses	\$ _____
Occupancy Expense	\$ _____
Officers Salaries	\$ _____
Postage/Printing	\$ _____
Professional Legal Fees	\$ _____
Repairs & Maintenance	\$ _____
Staff Development	\$ _____
Taxes	\$ _____
Travel	\$ _____
Other Miscellaneous	\$ _____
TOTAL EXPENSES	\$ _____

NET PROFIT (LOSS)	\$ _____
RETAINED EARNINGS AT BEGINNING OF YEAR	\$ _____
RETAINED EARNINGS AT END OF YEAR	\$ _____

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDING _____**

Increase (Decrease) in Cash and Cash Equivalents

Cash Flows from operating activities:	\$ _____
Net Income	\$ _____
Adjustments to reconcile net income to net cash provided by operating activities:	\$ _____
Depreciation and amortization	\$ _____
Change in current assets and liabilities:	
Increase (Decrease) in accounts receivables	\$ _____
Increase (Decrease) in loans to shareholders	\$ _____
Increase (Decrease) in inventory/equipment	\$ _____
Increase (Decrease) in prepaid expenses	\$ _____
Increase (Decrease) in accounts payable	\$ _____
Increase (Decrease) in payroll and sales taxes payable	\$ _____
Increase (Decrease) in unearned revenue	\$ _____
Increase (Decrease) in deferred taxes	\$ _____
Increase (Decrease) in income tax payable	\$ _____
Increase (Decrease) in deposits	\$ _____
Increase (Decrease) in long-term receivables	\$ _____
TOTAL ADJUSTMENTS	\$ _____
Net cash provided by operating activities	\$ _____
Cash flows from investing activities:	
Capital expenditures for fixed assets	\$ _____
Others (specify)	\$ _____
Cash flows from financing activities:	
Principal/interest payments on notes payable (list each)	\$ _____
Dividends paid	\$ _____
Net cash used in financing activities	\$ _____
Net increase (decrease) in cash and cash equivalents	\$ _____
Cash and cash equivalents at beginning of year	\$ _____
Cash and cash equivalents at end of year	\$ _____

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
PROPRIETARY SCHOOLS**

CERTIFICATION OF FINANCIAL COMMITMENT
(For schools with independent financial status)

I, _____ the authorized official of _____
(Official's Name) (Name of Institution)
 _____ certify, under penalty of perjury, that to the best of my knowledge and belief, the information presented in the attached financial statements is true and correct.

I further certify that the owning entity will assure the completion of teaching of students enrolled in the event either the owning entity or the institution incurs financial difficulty or closes.

I understand that furnishing false, misleading, or incomplete information to the Board or Department of failure to furnish any information requested and failing to maintain financial resources adequate for the satisfactory conduct of courses of instruction offered could be grounds for the denial, revocation, or suspension of a Certificate to Operate which may be or has been issued to this institution.

Date

Signature of Authorized Official

Printed Name of Authorized Official

Title

STATEMENT OF NOTARY

I, _____ a Notary Public in and for the _____ of _____
(Print or type name) (County, City, State, etc.)
 of _____ do certify that _____ personally
(Name of Jurisdiction) (Name of Official above)
 appeared before me in the jurisdiction aforesaid and acknowledged the above requirements. I further certify that my commission expires _____

Date

Notary Public

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
PROPRIETARY SCHOOLS**

CERTIFICATION OF FINANCIAL COMMITMENT
(For schools with dependent financial status)

I, _____ the authorized official of _____
(Name of owning entity official) (Name of owning entity)
 owner(s) of _____ certify, under penalty of perjury, that to the best of my
(Name of Institution)
 (our) knowledge and belief, the information presented in the attached financial statements is true and correct.

I further certify that the owning entity will assure the completion of teaching of students enrolled in the event either the owning entity or the institution incurs financial difficulty or closes.

I understand that furnishing false, misleading, or incomplete information to the Board or Department of failure to furnish any information requested and failing to maintain financial resources adequate for the satisfactory conduct of courses of instruction offered could be grounds for the denial, revocation, or suspension of a Certificate to Operate which may be or has been issued to this institution.

Date

Signature of Authorized Official

Printed Name of Authorized Official

Title

STATEMENT OF NOTARY

I, _____ a Notary Public in and for the _____ of
(Print or type name) (County, City, State, etc.)
 of _____ do certify that _____ personally
(Name of Jurisdiction) (Name of Official above)
 appeared before me in the jurisdiction aforesaid and acknowledged the above requirements. I further certify that my commission expires _____

Date

Notary Public

PROVISIONS FOR SECURITY DEPOSIT

This packet contains the security deposit forms required for certification to operate a proprietary school in Virginia under Title 22.1, Chapter 16, Section 22.1-319 through 22.1-335 of the Code of Virginia (1950, 1991), as amended, and the Regulations Governing the Operation of Proprietary Schools and Issuing of Agent Permits adopted by the Board of Education (1991, 1994).

Three types of guaranty instruments are recognized as meeting this requirement:

1. Surety bond;
2. Irrevocable letter of credit; or
3. Certificate of deposit.

The school is free to select which of the permitted methods it will utilize. Regardless of which is chosen, the use of either the actual forms contained in this packet or documents conforming exactly to their language is required for certification.

**COMMONWEALTH OF VIRGINIA
STATE BOARD OF EDUCATION
RICHMOND, VA 23218**

PRIVATE SPECIAL EDUCATION DAY SCHOOL SURETY BOND

KNOW ALL MEN BY THESE PRESENTS, That we _____ located at
(Name of Principal)

_____ as Principal, and _____ a corporation/partnership/sole
(Address of Principal)

proprietor in the State of _____ Lawfully doing business in the State of Virginia, as Surety, are
bound unto the State of Virginia for the benefit and protection of the students of said Principal, in the penal sum of
_____ Dollars (\$ _____) for which sum well and truly to be paid to the State of Virginia,
(Amount of Bond)

its certain attorneys or assign, said Principal and Surety bind themselves jointly and severally, our heirs,
executors, administrators, successors, and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, Whereas, the above bounden Private Special
Education Day School, as that term is used in Section 22.1-319 of the Code of Virginia (1950), as
amended, desires to operate its school at the place set forth above in the manner required by its express
contract with its students, known as the student enrollment agreement; and

WHEREAS, It is a condition of the grant of a certificate to operate to the Principal by The State Board of Education
that the form and contents of the student enrollment agreement and the method of collecting and refunding tuition
by the above bounden Principal be and is filed with The Board of Education as provided by the Acts of Assembly
1970, Chapter 16, Title 22.1-321, as amended.

NOW, THEREFORE, If upon and after the issuance of a certificate to operate expiring June 30, _____ for a
Private Special Education Day School pursuant to the aforementioned application, the above bounden Principal shall
fully and faithfully observe the express provisions of all student enrollment agreements with its students, and the
provisions of all the laws of this State and the rules and regulations promulgated by the State Board of Education,
then this obligation shall be void; otherwise, to remain in full force and effect;

AND THE Obligors, jointly and severally, for themselves, their heirs, executors, administrators, successors and
assigns, do agree with the State of Virginia, for the benefit and protection of the students of said Principal, that upon
violation of any contract with any student which, *inter alia*, may arise as a result of the suspension, revocation, or
any other termination of the certificate to operate aforesaid under the provisions of the Acts of Assembly 1970, the
State of Virginia may maintain action against this bond for its own benefit or for the benefit of such students.

PROVIDED, HOWEVER, THE Surety shall not be liable in the aggregate for more than the penal sum of
the bond, nor shall the penal sum of the bond be considered cumulative from year to year, and

PROVIDED, FURTHER, THE Surety shall have the right to cancel this bond at any time by a written
notice, stating when the cancellation shall take effect, and served on or sent by registered mail to The
State Board of Education, at least ninety (90) days prior to the date that the cancellation becomes
effective, but said Surety so filing said notice shall not be discharged from any liability already accrued
under this bond or which shall accrue hereunder before the expiration of said ninety (90) day period.

Any person who sustains a material loss covered by this Bond shall have the right in his own name to commence and
maintain an action against the Principal and Surety on such Bond for the recovery of the amount of the material loss
resulting from such injuries, or any of them, together with court costs, including a reasonable attorney's fee fixed by
the court, but the aggregate liability of the Surety shall in no event exceed the penal sum of this Bond.

This obligation shall be effective concurrently with the "*Certificate to Operate*" issued, covering the fiscal year ending
June 30, _____

SIGNED, SEALED AND DATED This _____ day of _____

Witness: _____ (L.S.)
_____ (Principal)

_____ (L.S.)
_____ (Surety)

BOND# _____ (L.S.)
_____ (Attorney-in-fact)

ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF VIRGINIA

_____ of _____ to Wit:
I, _____ a Notary Public in and for the Private Special Education Day School
aforesaid, in the State of Virginia, do certify that _____ whose name is signed to the
above bond, bearing date on the _____ day of _____ personally appeared before
me in my _____ aforesaid, and acknowledged the same.
I further certify that my term of office expires on the _____ Day of _____, 20____
Given under my hand this _____ Day of _____, 20____

AFFIDAVIT AND ACKNOWLEDGEMENT OF SURETY

STATE OF _____
_____ of _____ to Wit: I,
_____ a Notary Public in and for the _____
aforesaid, in the State aforesaid, do certify that _____ personally appeared before
me in my _____ aforesaid and made oath that he is _____
of the _____ that he is duly authorized to execute the foregoing bond
by virtue of a certain power of said company, dated _____, and recorded in the
Clerk's office of the _____ of _____ in Deed Book No. _____,
Page _____, that said power of attorney has not been revoked; that the said company has
complied with all requirements of law regulating the admission of such companies to transact business in
the State of Virginia that it has a paid-up cash capital of not less than \$250,000; that the paid-up capital,
plus the surplus and undivided profits of said company is _____, that the penalty
of the foregoing bond is not in excess of twenty per centum of said sum; that the said company is not by
said bond incurring in the aggregate, on behalf or on account of the principal names in said bond, a
liability for an amount larger than one-fifth of its paid-up capital, plus its surplus and undivided profits;
the said company is solvent and fully able to meet promptly all of its obligations, and the said
_____ thereupon, in the name and on behalf of the said company, acknowledged the
foregoing writing as its act and deed.

My term of office expires _____, 20____
Given under my hand this _____ Day of _____, 20____

(Notary Public)

IRREVOCABLE LETTER OF CREDIT

Number _____
Date of Issuance _____

Superintendent of Public Instruction
Department of Education
P. O. Box 2120
Richmond, VA 23218-2120

Dear Sir/Madam:

We, the _____
(Name and address of issuing institution)
Hereby establish, at the request of _____
(customer)

Our IRREVOCABLE LETTER OF CREDIT, number _____ in favor of the Commonwealth of Virginia,
Department of Education, in the amount of _____ dollars (\$ _____)

This IRREVOCABLE LETTER OF CREDIT is issued as a condition of your granting the customer a
"Certificate to Operate" a private special education day school, pursuant to Title 22.1, Chapter 16, Section
22.1-319 through 22.1-335 of the Code of Virginia (1950) as amended.

The IRREVOCABLE LETTER OF CREDIT is valid until midnight June 30, 20____, provided, however, that
this *Letter of Credit* will be automatically extended without amendment for one (1) year from the present
or any future expiration date thereof, unless ninety (90) days prior to any such expiration date we elect
not to renew this *Letter of Credit* for such additional one (1) year period. An annual renewal notice will
be submitted to you. The notice required hereunder will be deemed to have been given when received
by you.

Funds under this *Letter of Credit* are available to you upon presentation to us of your written demand for
payment, referring to the number of this *Letter of Credit* and accompanied by your statement that the
Department of Education has declared that the security established by the customer as a condition to
being granted a "Certificate to Operate" has been forfeited. The demand and statement shall be
substantially in the form of the document set forth in Attachment A, incorporated by reference herein.

We hereby agree to honor any and all demands for payment made in compliance with the terms of this
Letter of Credit, up to the sum stated above. Payment hereunder shall be by our check, payable in U.S.
Currency, to the order of the Commonwealth of Virginia, Department of Education, at your address stated
above.

We warrant that the issuance of this *Letter of Credit* will not constitute a violation of any statute or
regulation which limits the aggregate amount of liabilities which we may incur at any one time from the
issuance of letters of credit and acceptances. We agree that by making demand for payment hereunder,
neither you, nor the Department of Education, nor the Commonwealth of Virginia makes any warranties
to us, either expressed or implied.

This *Irrevocable Letter of Credit* shall be governed by Virginia law.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
P. O. BOX 2120
RICHMOND, VA 23218-2120

CERTIFICATE OF DEPOSIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned _____

of _____, as Obligor (private special education day school),

Is held and firmly bound unto the Commonwealth of Virginia in the penal sum of _____

Dollars (\$ _____). This obligation is secured by and is to be satisfied out of one or more *Certificates of Deposit* as described herein below:

Certificate Number _____

Issuing Bank _____

Address _____

Certificate Number _____

Issuing Bank _____

Address _____

Certificate Number _____

Issuing Bank _____

Address _____

Each *Certificate of Deposit* described above is payable to the "Commonwealth of Virginia", with the interest payable to the obligor. They are automatically renewable at the end of their respective terms. The issuing financial institutions are protected by the Federal Deposit Insurance Corporation (FDIC). The *Certificates of Deposit* will be kept in the custody of the Department of Education until their release by the Department of Education. They shall be forfeitable if the conditions of this obligation are not met.

THE CONDITIONS OF THE OBLIGATION ARE SUCH, that whereas the above named obligor did on the _____ day of _____, 20____, file with the Virginia Department of Education an application to secure a "*Certificate to Operate*" a private special education day school under Title 22.1, Chapter 16, Sections 22.1-319 through 22.1-335 of the Code of Virginia (1950), as amended. The obligor will undertake operations in accordance with the code of this Commonwealth and the regulations of the Board of Education. The *Certificate of Deposit* is subject to forfeiture pursuant to conditions stated in the code and regulations. The *Certificate of Deposit* will be returned to the obligor, should said application be rejected.

Now if the conditions in the code and regulations which allow for forfeiture of the *Certificate of Deposit* do not occur and if the obligor shall faithfully perform all the requirements of Title 22.1, Chapter 16, Sections 22.1-319 through 22.1-335 of the Code of Virginia (1950, 1993), as amended, and shall comply with the Regulations Governing the Operation of Proprietary Schools and Issuing of Agent Permits adopted by the Board of Education (1991, 1994) and all amendments thereto, then this obligation shall be null and void; otherwise it shall remain in full force and effect. This obligation shall continue until midnight, June 30, 20____, unless it is renewed between the obligor and the Department of Education or until it is released by the Department of Education. Application for renewal or release of the obligations of this *Certificate of Deposit* must be made to the Department of Education.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION
PROPRIETARY SCHOOLS

SCHOOLS FOR STUDENTS WITH DISABILITIES CHECKLIST

The following items/documentation must accompany the application for a certificate to operate:

1. A written statement of the school's purpose, philosophy, and objectives.
2. A clearly written admission's policy.
3. A statement regarding the proposed pupil-teacher ratios to be maintained by the school.
4. The name and qualification of the person responsible for the administration of the school. This person shall meet the requirements of 11.2 (A) (1) of the regulations. Please attach copies of appropriate credentials.
5. The name and qualification of the person responsible for the day-to-day operation of the school. This person shall meet the requirements of 11.2 (A) (2) of the regulations. Please attach copies of the appropriate credentials.
6. The names and qualifications of teachers which the school may employ. Please attach copies of current licenses.
7. The names and qualifications of audiologists or speech therapists which the school may employ. Attach copies of appropriate credentials.
8. The name and qualification of any psychologist the school may employ. Attach copies of appropriate credentials.
9. The names and qualifications of all librarians, guidance counselors, social workers, and medical personnel which the school may employ. Attach copies of appropriate credentials.
10. The names and qualifications of all medical personnel which the school may employ. Attach copies of appropriate credentials.
11. If the school serves meals, the name and qualifications of the dietician overseeing the program.
12. A list of the names of all drivers of vehicles transporting students to and from school as well as to school-related activities. Please provide copies of the appropriate Virginia driver's licenses for each driver.
13. Provide evidence of liability insurance to protect those students transported to and from the school.
14. If the school contracts for therapeutic services through a private concern, attach a copy of the contractual agreement outlining the provisions of delivery for said services.
15. A copy of the policy regarding the supervision of volunteers and interns or students who may be receiving professional training at the school.

16. Copies of the forms for the Individualized Education Program (IEP) and Individualized Program Plan (IPP) to be used by the school.
17. A copy of the school's policies and procedures governing behavior management programs (refer to 11.7 of the regulations.)
18. A copy of the school's policy governing personnel development and inservice training for all staff.
19. A copy of the school's policy governing the use of testing and evaluation materials.
20. A copy of the school's policy governing a plan for and documentation of contact with parents, guardians, and local school division personnel.
21. The school's policy regarding the maintenance of or access to an adequately equipped library or resource center.
22. A list of the reference materials available to address the pre-academic, academic, and career education levels of the handicapped students.
23. A statement regarding provisions for health for both staff and students of the school (refer to 11.5 (A) (4) and 11.10 (A) (B) and (C) of the regulations).
24. Evidence that school-owned vehicles used for the purpose of transporting students to and from school and school-related activities meet federal and state standards and are maintained in accordance with acceptable state and federal laws.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF EDUCATION**

**GUIDELINES FOR SUBMITTING CURRICULUM INFORMATION
FOR SCHOOLS FOR STUDENTS WITH DISABILITIES**

INSTRUCTIONS: When submitting curriculum information, please include the following to demonstrate compliance with certain requirements of PART XI of the Regulations Governing the Operating of Proprietary Schools and Issuing of Agent Permits adopted by the Board of Education.

1. A statement of educational philosophy.
2. A curriculum design that addresses specific content areas for all grade levels and subject matter as well as information pertinent to the disability served.
3. A statement regarding materials to be used and necessary adaptations and/or modifications which are to be made.
4. A statement of the relationship of the curriculum design to Virginia's Standards of Learning.
5. A description of classroom management and discipline procedures.
6. A statement describing what has been done to prepare for the new program prior to submitting the request (e.g., visiting other schools, surveying the community needs, etc.).
7. Staff qualifications, endorsements, and plans for on-going inservice and coursework for unendorsed instructors.
8. A description of how the facility will handle the different disabilities within the current environment if the request is to educate more than one disability or to expand the current certificate to operate.

Please note these guidelines are to be used with new programs as well as established schools requesting to expand the scope of their services.